

HOUSE BILL 460
By Sontany

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 3, Part 6; Title 39, Chapter 13, Part 5 and Title 39, Chapter 17, Part 3, relative to orders of protection and the scope thereof.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-3-601, is amended by deleting items (5) and (7) and substituting instead the following:

(5) "Petitioner" means the person alleging domestic abuse, sexual assault or stalking in a petition for an order for protection;

(7) "Respondent" means the person alleged to have abused, stalked or sexually assaulted another in a petition for an order for protection;

SECTION 2. Tennessee Code Annotated, Section 36-3-601, is amended by adding the following new numbered items:

() "Stalking victim" means any person, regardless of the relationship with the perpetrator, who has been subjected to, threatened with or placed in fear of the offense of stalking as defined in § 39-17-315;

() "Sexual assault victim" means any person, regardless of the relationship with the perpetrator, who has been subjected to, threatened with or placed in fear of any form of rape, as defined in §§ 39-13-502, 39-13-503, 39-13-506 or 39-13-522, or sexual battery as defined in §§ 39-13-504, 39-13-505, or 39-13-527;

SECTION 3. Tennessee Code Annotated, Section 36-3-602, is amended by adding the following new subsection (b) and by relettering subsequent subsections accordingly:

(b) Any stalking victim or sexual assault victim may seek relief under this part by filing a sworn petition alleging such stalking or sexual assault by the respondent.

SECTION 4 . This act shall take effect July 1, 2005, the public welfare requiring it.